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# PREVENTION OF DISCRIMINATION AND PROTECTION OF INDIGENOUS PEOPLES AND MINORITIES

## Note by the secretariat

1. In its resolution 2000/15 of 17 August 2001, the Sub-Commission on the Promotion and Protection of Human Rights recommended that the United Nations High Commissioner for Human Rights take the necessary action in order to promote the establishment, within the Office of Legal Affairs of the Secretariat, of a database on national legislation on matters of relevance to indigenous peoples, as well as a compilation of treaties and agreements between States and indigenous peoples.

2. In a memorandum dated 27 September 2000, the Office of the High Commissioner for Human Rights transmitted a copy of the resolution to the Office of Legal Affairs, requesting its advice. The reply of the Office of Legal Affairs, dated 11 October 2000, follows:

GE.01-14083 (E) 120601

"This is with reference to your facsimile of 27 September 2000 concerning the recommendations of the Sub-Commission on the Promotion and Protection of Human Rights. In particular, you refer to operative paragraph 14 of Sub-Commission resolution 2000/15 of 17 August 2000 in which the Commission recommends, inter alia, that 'the High Commissioner take the necessary action in order to promote the establishment, within the Office of Legal Affairs of the Secretariat, of a database on national legislation on matters of relevance to indigenous peoples, as well as a compilation of treaties and agreements between States and indigenous peoples'.

It would not be for the Sub-Commission on the Promotion and Protection of Human Rights to establish new functions or mandates for the Office of Legal Affairs or any other Secretariat unit in the absence of a decision by the parent intergovernmental organ, in this case the Economic and Social Council, as well as the consideration and approval of the financial implications of such a decision by the General Assembly. The establishment of the database of the kind described in the Sub-Commission's resolution would entail considerable financial implications and human resource requirements."

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